

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLIP D. WEBB,

Defendant.

No. 12-30268-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is defendant's motion to continue (Doc. 21). Defendant states that he needs additional time for pretrial matters. The government does not object. The Court being fully advised in the premises finds that defendant needs additional time for pretrial matters. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by the granting of such continuance outweigh the best interests of the public and defendant in a speedy trial. The Court also finds that to deny a continuance of the matter would result in a miscarriage of justice.

Therefore, the Court **GRANTS** defendant's motion to continue (Doc. 21). The Court **CONTINUES** the jury trial scheduled for January 7, 2013 to **February 19, 2013, at 9:00 a.m.** The time from the date the original motion was filed, December 3, 2012, until the date to which the trial is rescheduled, February 13, 2013, is

excludable time for the purposes of speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

Signed this 3rd day of December, 2012.

David R. Herndon



Digitally signed by
David R. Herndon
Date: 2012.12.03
15:17:00 -06'00'

**Chief Judge
United States District Court**